

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA  
FLORENCE DIVISION

Steve Boyd Hamrick, #98801-071,	)	
	)	C.A. No. 4:05-2863-HMH-TER
Petitioner,	)	
	)	<b>OPINION &amp; ORDER</b>
vs.	)	
	)	
United States of America,	)	
	)	
Respondent.	)	

This matter is before the court with the Report and Recommendation of United States Magistrate Judge Thomas E. Rogers, III, made in accordance with 28 U.S.C. § 636(b) and Local Rule 73.02 for the District of South Carolina.<sup>1</sup> Steve Boyd Hamrick (“Hamrick”), a federal prisoner proceeding pro se, filed a petition pursuant to 28 U.S.C. § 2241. Magistrate Judge Rogers recommends that the court transfer this case to the Eastern District of Kentucky because Hamrick is incarcerated at the United States Prison at Big Sandy, in Inez, Kentucky.

Objections to the Report and Recommendation must be specific. Failure to file specific objections constitutes a waiver of a party’s right to further judicial review, including appellate review, if the recommendation is accepted by the district judge. See United States v. Schronce, 727 F.2d 91, 94 & n.4 (4th Cir. 1984). In the absence of specific objections to

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<sup>1</sup> The recommendation has no presumptive weight, and the responsibility for making a final determination remains with the United States District Court. See Mathews v. Weber, 423 U.S. 261, 270 (1976). The court is charged with making a de novo determination of those portions of the Report and Recommendation to which specific objection is made. The court may accept, reject, or modify, in whole or in part, the recommendation made by the magistrate judge or recommit the matter with instructions. 28 U.S.C. § 636(b)(1).

the Report and Recommendation of the magistrate judge, this court is not required to give any explanation for adopting the recommendation. See Camby v. Davis, 718 F.2d 198, 199 (4th Cir. 1983). Hamrick does not object to the Report and Recommendation. Therefore, after a careful review of the record in this case and the Magistrate Judge's Report and Recommendation, the court adopts the Report and Recommendation.

In addition, on December 8, 2005, Hamrick filed a motion to amend the case caption "to reflect the Respondent to be Warden Terry O'Brien, Warden of FCI Ashland, whereat [Hamrick] is currently housed, and effect service by request to the local court and supply said Court with copies of this Motion, and notify the local Court accordingly." (Mot. 1.) The court notes that upon transfer, the respondent will remain the United States of America. Further, Hamrick's additional requests will be accomplished by transferring the case to the Eastern District of Kentucky. As such, this motion is denied.

Therefore, it is

**ORDERED** that this case is transferred to the Eastern District of Kentucky. It is further

**ORDERED** that Hamrick's motion to amend is denied.

**IT IS SO ORDERED.**

s/ Henry M. Herlong, Jr.  
United States District Judge

Greenville, South Carolina  
January 6, 2006

**NOTICE OF RIGHT TO APPEAL**

The petitioner is hereby notified that he has the right to appeal this order within sixty (60) days from the date hereof, pursuant to Rules 3 and 4 of the Federal Rules of Appellate Procedure.